

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JOHNNY SCOTT WAGNER,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

CASE NO. 2:16-CV-00825-DWC

ORDER GRANTING STIPULATED
MOTION FOR REMAND

Presently before the Court is Defendant's Stipulated Motion for Remand ("Motion").
Dkt. 18. After reviewing the Motion and the relevant record, the Court orders the following:

Defendant's Motion is granted, and the case is reversed and remanded for further
administrative proceedings under sentence four of 42 U.S.C. § 405(g).

On remand, the Commissioner shall:

- Re-assess the evidence, including the opinions of Holly Petaja, Ph.D. and Philip Zylstra, M.D. and provide adequate rationale for either accepting or rejecting these opinions;
- Re-assess Plaintiff's residual functional capacity; and

- Further develop the record and issue a new decision.

If the Commissioner does not issue a fully favorable decision, Plaintiff shall have the opportunity for a *de novo* hearing.

The parties agree that on proper motion the Court shall consider Plaintiff's application for costs and attorney fees under 28 U.S.C. § 2412(d) and 42 U.S.C. § 406(b).

Dated this 15th day of November, 2016.



David W. Christel
United States Magistrate Judge